

Draft of 9/27/13

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Meeting
Wednesday, September 04, 2013
7:00PM

Officials Present:

Deb Love, Chair
George Thorpe, Vice Chairman
Keith Klaver, Supervisor
Judy Lizza, Manager
Kathy Labrum, Solicitor
Joe Mastronardo, Engineer
Matt DiFilippo, Secretary

The Regular Meeting began with the Fee in Lieu Ordinance Hearing. Solicitor Labrum explained the proposed amendments to the Fee in Lieu Ordinance, specifically the revisions to the fees. Frank Murphy, Marshall Road, asked during public comment if it was a developer's choice between donating land to Open Space or providing a Fee in Lieu. Solicitor Labrum responded that the Township can force the developer to donate land rather than give money.

Upon motion and second (Klaver/ Thorpe) the Board unanimously adopted Ordinance 125, amending sections 110 – 12 of Chapter 110 "Plan Requirements for Recreational Lands and Facilities" to alter the basis for the calculation of Fee in Lieu payment for residential and commercial development.

Call to Order

Chair Love called the Regular Meeting to order at 7:05PM after the fee in Lieu Hearing.

A brief presentation was made by John Jaros, Counsel for K. Hovnanian Homes, about the proposal at Brandywine Drive and Baltimore Pike to build luxury townhomes. He discussed recent history of presenting an overlay ordinance to Township staff, officials and appointed professionals and how now it might not be the best tool to use to allow the development of the townhome community. He stated that the developer would like to file a petition to re-zone the district at Brandywine Drive and Baltimore Pike to Residence Multi-Family (RM) from its currently zoned state as Planned Business Center (PBC) to be able to permit the proposed development.

Chair Love responded that the board would still request traffic and financial impact studies. Vice Chairman Thorpe concurred and Supervisor Klaver **indicated disappointment in not considering an overlay district and agreed he would consider a petition.**

Public Comment

Samantha Reiner, Webb Road, asked how long the district at Brandywine Drive and Baltimore Pike has been zoned PBC. Vice Chairman Thorpe responded. She followed-up confirming that the proposed plan being discussed was to consider re-zoning the district as RM.

Frank Murphy, Marshall Road, asked about traffic and financial impact studies and whether or not traffic studies outside of the Township would be considered and suggested that studies should cover a regional impact.

Engineer Mastronardo responded that it's standard practice to conduct traffic studies.

Gail Force, Southpoint, and Chair Love discussed the history of the Route 202 and 1 intersection and PENNDOT's proposed plans.

Bruce Prabel, Heyburn Road, reported recording tonight's meeting.

Pennsylvania State Police Report

A written report was submitted. No officer was available to give the report.

Approval of Minutes

Upon motion and second (Thorpe/ Love) the Board approved the meeting minutes of August 7, 2013. Supervisor Klaver abstained.

Supervisors' Report

An executive session was reported being held after the Workshop, Thursday, August 29, 2013 to discuss personnel.

Engineer's Report

Engineer Mastronardo submitted a written report.

Upon motion and second (Klaver/ Thorpe) the Board unanimously approved escrow release #8 for Stonebrook I, Atwater Road, in the amount of \$78,129.19.

Manager's Report

Manager Lizza submitted a written report. She announced upcoming events and administrative business, specifically, the CodeRed System and File for Life mailing. She also reported on upcoming hearings and meetings and that she was working on the 2014 Budget and meeting schedule for next year.

Fire Marshal Mike Daily reported six accidents since he began working as Fire Marshal for Chadds Ford Township in April 2013. He reported a recent fire at 1244 Baltimore Pike and the first week in October as Fire Prevention Week.

Treasurer's Report

Secretary DiFilippo reported the Township's financial activity for the month of August 2013.

GENERAL FUND

General Fund Unrestricted Balance:	\$892,804.18
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RECEIPTS

Miscellaneous Collections and TWP. Reimbursements:	\$48,801.18
Monthly Deed Reconciliation (July 2013):	\$31,291.40
Verizon Franchise Fee (2 nd Quarter):	\$12,382.99
Comcast Franchise Fee (2 nd Quarter):	<u>\$12,100.28</u>
TOTAL RECEIPTS:	\$104,575.85

DISBURSEMENTS

Bill, Wages, and ACH Payments:	<u>\$21,894.46</u>
TOTAL DISBURSEMENTS:	\$21,894.46

Upon motion and second (Thorpe/ Klaver) the Board unanimously approved General Fund Disbursements in the amount of \$21,894.46.

Upon motion and second (Thorpe/ Klaver) the Board unanimously approved additional General Fund Disbursements which arrived after formal financial reporting in the amount of \$27,348.73.

Upon motion and second (Klaver/ Thorpe) the Board unanimously approved the release of Bruggemann Chemical's developer's escrow on file with the Township in the amount of \$10,036.17 plus accrued interest for work now completed at 1361 Baltimore Pike.

Upon motion and second (Klaver/ Thorpe) the Board unanimously approved the release of Montchanin Design Group's securities improvements escrow on file with the Township in the amount of \$4,779.93 plus accrued interest for work now completed at 1361 Baltimore Pike.

Upon motion and second (Klaver/ Thorpe) the Board unanimously approved the release of Newlin Home's developer's escrow on file with the Township in the amount of \$11,067.24 plus accrued interest for work now completed pertaining to Stonebrook I, Atwater Road.

Old Business

There was no Old Business to discuss.

New Business

Pertaining to the Fee in Lieu, Supervisor Klaver suggested that the Open Space committee with the help of the Township Solicitor, update the Township's recreation plan.

Upon motion and second (Klaver/ Thorpe) the Board approved the Open Space committee authorization to update the Township's Recreation Plan with the help of the Township Solicitor, Donaghue & Labrum.

Samantha Reiner, Webb Road, commented on the cost to update the plan and whether or not a professional land planner would be used.

Supervisor Klaver responded that the ordinance had been reviewed by the Open Space and Planning Commission committees and that now is a good time to update the recreation plan and make sure the Township is in line with the MPC.

Solcitor Labrum introduced the Pettinaro-PENNDOT Stormwater Management Agreement for the Ridge Road proposed development. She explained that this agreement was necessary to protect the Township pertaining to stormwater management. Solicitor Labrum assured that Pettinaro provided escrow in case its necessary to address Stormwater Management issues in the future.

Upon motion and second (Thorpe/ Love) the Board approved Manager Lizza as signatory on the agreement.

The ARLE grant was discussed and how the funds obtained would be used for striping and flood warning street signs.

Upon motion and second (Klaver/ Thorpe) the Board moved to adopt Resolution 2013 – 23 authorizing Township Manager Lizza as signatory for ARLE grant funds.

Historic Architectural Review Board (HARB) Certificates of Appropriateness for the Brandywine River Museum's parking lot lights at 1 Hoffman's Mill Road, Fellini Café's roof vents at 1620 Baltimore Pike and Antica Restaurant's sign at 1623 Baltimore Pike were recommended to the Board of Supervisors for approval at the last HARB meeting.

Upon motion and second (Klaver/ Thorpe) the Board approved the recommended HARB Certificates of Appropriateness for the Brandywine River Museum, Fellini Café and Antica Restaurant.

Gail Force, Southpoint, commented that she didn't like the statues in front of Fellini Café, 1620 Baltimore Pike, and whether or not they were ever approved.

The Board discussed a Sewer Authority Board appointment.

Upon motion and second (Klaver/ Thorpe) the Board unanimously approved the appointment of Mark Stookey, Upper Bank Road, to the Sewer Authority Board.

Debbie Reardon, Open Space Chair, Tally Ho Drive, thanked the Board of Supervisors and Donaghue and Labrum for the work and adoption of the revisions to the Fee in Lieu ordinance. She also had a discussion about the removal of the autumn olive with Vice Chairman Thorpe.

Adjournment

Upon motion and second (Thorpe/ Klaver) the Regular Meeting was adjourned at 7:48PM.

Respectfully submitted,

Matt DiFilippo
Secretary